



**SHREWSBURY CONSERVATION COMMISSION
SHREWSBURY, MASSACHUSETTS**

MINUTES

Regular Meeting: July 19, 2005 - 7:00 P.M.

Location: Selectmen's Hearing Room - Municipal Office Building

Present: John J. Ostrosky, Chairman
Dorbert A. Thomas, Clerk
Patricia M. Banks
Kenneth F. Polito

Absent: Robert P. Jacques, Vice-Chairman

Also Present: Jack Perreault, Town Engineer
Brad Stone, Agent

Mr. Ostrosky opened the meeting at 7:00 P.M.

1. Review and Approve Minutes

The Conservation Commission noted that Minutes from previous meetings are still being worked on.

2. Signed bills.

3. Meetings and Hearings – 7:05 P.M.

Mr. Ostrosky announced that three hearings will not be heard and are continued to the August 16, 2005 meeting:

- 1) R.I.F.L. Realty Trust for 167 Memorial Drive*
- 2) Scott Norton for 76 Lakeside Drive*
- 3) Home Depot USA, Inc. for 530 & 543 Boston Turnpike*

285-1357 Public Hearing regarding the Notice of Intent filed by R.I.F.L. Realty Trust for the construction of a commercial building and site work for additional development at 167 Memorial Drive

Mr. Ostrosky announced that this hearing will be postponed to August 16, 2005.

285-1342 Public Hearing regarding the Notice of Intent filed by Scott Norton for the Construction of a retaining wall at 76 Lakeside Drive

Mr. Ostrosky announced that this hearing will be postponed to August 16, 2005.

285-1350 Public Hearing regarding the Notice of Intent filed by Home Depot USA, Inc. for the construction of drainage swales, replacement of a culvert, and other drainage improvements at 530 & 542 Boston Turnpike

Mr. Ostrosky announced that this hearing will be postponed to August 16, 2005.

285-** Public Hearing regarding the request for an Amended Order of Conditions filed by Kalamat, LLC for the expansion of the parking area and infiltration basin at 307 Grafton Street**

Attending the hearing was Carl Hultgren – the engineer from Quinn Engineering.

Mr. Hultgren said the Tomaiolos have the opportunity to lease one of the units for other uses other than originally planned for. He said the parking area needs to be expanded. He reviewed the plans.

Mr. Hultgren said the site should be sewerred in the near future, and they are working on the plans now.

Mr. Hultgren said the site is stabilized and the grass is growing.

Mr. Ostrosky asked how the run-off was controlled in the original plan of parking area.
Mr. Hultgren explained.

Mr. Ostrosky officially closed the hearing.

285-1351 Public Hearing regarding the Notice of Intent filed by Sewall Street Realty, Inc. for the construction of a driveway at Lot 3 Sewall Street

Attending the hearing was Steven Sears for Lynne Remington at Ross Associates, engineers both from Ross Associates.

Mr. Sears explained that this is for an amended Order of Conditions for a driveway within the Riverfront Area. He said there is a total 1280 sq. ft. of disturbance and just a small part of the driveway is some of this disturbance. He said all the other work associated with the house, septic system and well is outside the wetland area.

There was discussion from Mr. Stone if the area is stabilized. The Commission agreed something would be put in the Order of Conditions regarding this.

Mr. Ostrosky officially closed the hearing.

285-** Public Hearing regarding the Notice of Intent filed by Joseph and Shawn Lijoi for the placement of fill within the Buffer Zone at 16 Whitney Street**

Attending the hearing was Mark Beaudry – an engineer from Meridian Associates, Inc.

Mr. Beaudry explained there is an intermittent brook that passes through the property. He said it is the same system that goes into the brook at Walgreens.

Mr. Beaudry said the Lijois had placed fill within the buffer zone of this brook. He said once they were made aware of the process, they stopped work and put up erosion control barriers. He said they will place two feet of fill to raise the grade, but would be placing about one foot of fill as they go towards the wetland.

Mr. Stone expressed concern about fill going right up to the wetland line. He said he feels wetland line needs to be looked at closer at this time, even though a line was established for another project done by the town.

Mr. Stone said he wants the Commission to consider the flooding problems, and commented he thinks some other work had been done out there, possibly some kind of culvert. He said the Town project was a roadway project, and there was no change in grade.

Mr. Ostrosky and Mr. Perreault both stressed that the original wetland line was done for another project, and that it actually has just gone the three-year effective limit on the Town Order of Conditions. After some discussion, Mr. Beaudry asked for continuance to look at the wetland line further.

Mr. Ostrosky continued the hearing to August 16, 2005.

285-** Public Hearing regarding the Notice of Intent filed by MassHighway District 3 for the construction of a roadway widening, drainage work, and grading on Route 20 near Walnut Street and South Street**

Attending the hearing was Dennis Lowry from ENSR, William Clougherty from MassHighway, and Brian Ackley from Rizzo Associates.

Mr. Lowry said this project is part of the continued road improvements on Route 20. He said this filing is in conjunction with Avalon. He said they are looking to do four 12-foot wide lanes. and that most of the widening will be on the south side of Route 20. He commented that this is limited project and redevelopment project category for the filing. He also stated that this project is about a .4 mile (2100 linear foot) project.

Mr. Lowry showed the wetland area at the bottom of South Street, which is Bummet Brook, and then continued to review the other wetland areas in the project, and also saying one is near the Rainbow Motel.

Mr. Polito said they should extend the haybale line in some areas, as it seems to be short in some areas.

Chris Kirk, 40 Westwood Road, made the following comments:

- 1) replace or add catch basins – Mr. Ackley explained the locations;
- 2) Mr. Lowry explained there is not a lot of new impervious area.

Mr. Ostrosky officially closed the hearing.

285-1355 Public Hearing regarding the Notice of Intent filed by Frank and Kristine Palermo for the construction of a swimming pool and deck at 2 Weagle Farm Road

Attending the hearing was Peter Bemis – the engineer from Engineering Design Consultants, and Frank Palermo – the homeowner.

Mr. Bemis said the Palermos want to install a pool, with a fence enclosure, a deck, and other related grading. He said there is very little grade change. He commented that the total affected area is 4200 sq. ft.

Mr. Bemis said anything that is surplus from excavation would be taken off-site.

Mr. Ostrosky officially closed the hearing.

285-1354 Public Hearing regarding the Notice of Intent filed by Angela Lombard for the construction of a swimming pool and deck at 21 Stonybrook Lane

Attending the hearing was Peter Bemis – the engineer from Engineering Design Consultants, and Ron Lombard – the homeowner.

Mr. Bemis said the Lombards want to put in a pool, deck, with the associated grading. He showed the erosion control barrier. He stated the change of grade will be about one foot, and said the erosion control will be placed right along the existing wall.

Mr. Ostrosky officially closed the hearing.

285-1353 Public Hearing regarding the Notice of Intent filed by Mark and Nancy Freeman for the construction of a swimming pool and deck at 17 Stonybrook Lane

Attending the hearing was Peter Bemis – the engineer from Engineering Design Consultants, and Mark Freeman – the homeowner.

Mr. Bemis said the Freemans want to put in a pool, deck, and with the associated grading. He showed the erosion control barrier line. He said about 4500 feet of buffer will be affected. He stated the excess material from excavation will be taken off-site.

Mr. Ostrosky officially closed the hearing.

285-1358 Public Hearing regarding the Notice of Intent filed by Cheryl Burokus for the construction of a septic system at Lot 2 Cosmopolitan Estates

(See hearing below for both Lots 2 and 3 Cosmopolitan Estates.)

285-1359 Public Hearing regarding the Notice of Intent filed by Cheryl Burokus for the construction of a single family house and septic system at Lot 3 Cosmopolitan Estates

Attending the hearing was Jeff Howland – the engineer from Graves Engineering.

Mr. Howland said Lot #2 was for the installation of a septic system. He said Mr. Moore, from Shrewsbury's Board of Health, asked water service to be added, it was just missed on the plan.

Mr. Howland said Lot #3 is for a single family house and septic system. He said a small corner of the garage is within the buffer zone. He stated the septic systems are located outside of the 50-foot buffer area.

Mr. Ostrosky officially closed both hearings.

285-** Public Hearing regarding the Notice of Intent filed by Flint Pond Development, LLC for the construction of an over-55 residential development with a commercial component on approximately 68 acres at 180-228 Hartford Turnpike**

Attending the hearing was Attorney Kevin Byrne – representing the developers, Roy Smith – the site civil engineer from BSC Group, Kate Bednaz – the wetlands engineer from BSC Group, and Ben Sherman – from BSC Group.

Attorney Byrne gave an overview of the project:

- 1) 158 senior housing units;
- 2) 91,000 sq. ft. of commercial and retail component;
- 3) There will be road improvements on Route 20;
- 4) Will be building a pump station to service site and some of the surrounding area.

Attorney Byrne said there is approximately 14 acres of pavement currently out there, and stated this will be ripped up and redeveloped.

Attorney Byrne also commented that they meet and exceed the Commission's guideline requirement of being 30 feet away from wetland area. He said the closest is 35 feet, and the rest of the site is 50 feet away.

Mr. Smith commented that two of the units will be changed to the shorter unit.

Mr. Smith listed the waivers they are asking from the Planning Board:

- 1) waivers from pavement width; he noted the increased sidewalk width because they want to promote pedestrian atmosphere;
- 2) to not have driveway across or even with the intersection.

Mr. Smith commented that if they don't get the waiver for the driveway location, Building #31 will have to be moved to buffer area.

Mr. Smith said they did a drainage plan and they have also received comments from Engineering. He said they are working on the issues.

Mr. Smith noted the Fire Chief's comment for looping the water system, and said that this would involve a temporary wetland disturbance.

Mr. Smith commented that they would be asking for a continuance pending the Planning Board's decision.

Mr. Smith reviewed the phasing plan, which has six phases. He submitted a copy of the phasing explanation from the plan.

Mr. Polito asked if Phase 1 would be completed before going to Phase 2. Mr. Smith said they would like to keep this flexible, as this would be market driven.

Ms. Bednaz said she received the Order of Resource Area Determination in February, 2005.

Ms. Bednaz showed the wetland areas to have temporary disturbance. She said there is a 358-foot elevation area which will be subject to flooding as the area is near the lake. She commented that for the water line there will be temporary disturbance of approximately 615 sq. ft. of BVW and 20 l.f. of Inland Bank.

Ms. Bednaz showed an area where there is a lot of debris to be removed. She said Sheet 9 of 11 shows the resource areas. Ms. Bednaz reviewed this. She said the area where the debris needs to be removed may require some type of machinery.

Ms. Bednaz said there will be a wetlands scientist, approved by the Commission, on site to monitor the project, report to the Town, etc.

Mr. Perreault commented on the Town's view on phasing. He asked for more information on drain pipe.

Mr. Ostrosky continued the hearing to August 16, 2005.

285-1352 Public Hearing regarding the Notice of Intent filed by Anthony Russell for the construction of a subdivision roadway at Palm Meadow Estates

Attending the hearing was John Parmentier – the engineer from Dunn McKenzie, and Anthony Russell – the developer.

Mr. Parmentier said they will probably ask for a continuance pending the Planning Board's decision.

Mr. Parmentier said #32 Clews Street house will be removed for development.

Mr. Parmentier showed the wetlands were mostly on the westerly side of the project. He said the flagging was approved a couple of years back, but it has been reflagged by EBT Environmental Consultants in May of 2005. He said the filing is for the roadway and associated grading.

Mr. Parmentier said he added the 30-foot no-build line onto his plan and he will leave it for the Commission's review. He said he also submitted the Stormwater Analysis and Drainage Report and the Storm Water Pollution Prevention Plan and Operation Maintenance Plan.

Mr. Parmentier also commented that they will probably have to come back with a filing for Lots #6, 7, and 8.

The following comments were made:

- 1) Mr. Polito wanted to know how much fill will be removed and the procedure that will be used.
- 2) Mr. Ostrosky said they want to see a stable site and be assured of it. He said the Commission will be looking for cuts and fills and stabilization and control.
- 3) Mr. Perreault said he and the Commission want to know the complete site work ahead of work being done, and explained the reasons why.

Pat Jakel, representing Min Zou, 30 Clews Street, expressed the following concerns:

- 1) concern of location of pipe behind #30 Clews, where it will end and where it will dump out.
- 2) asked if there will be stabilization of site when house is removed; Mr. Perreault said they can place a double row of haybales.

Mr. Ostrosky continued the hearing to August 16, 2005.

**RDA Public Meeting regarding the Request for Determination of Applicability
filed by Brian Osborn and the Town of Shrewsbury for the construction of a
pedestrian bridge at Prospect Park**

Attending the hearing was Brian Osborn, 2 Hearthside Circle doing a project for his Boy Scout Eagle Badge.

Mr. Osborn said he wants to build a 33 foot long, two-feet high bridge at Prospect Park. He said he wants to get tree stumps from Solomon Lumber, West Boylston, and would use galvanized bolts.

Mr. Stone said he flagged the wetlands and submitted the plan to the Commission, as part of the Determination of Applicability application.

The Commission voted a negative determination for this project. They praised Mr. Osborn for doing this project.

285-** Public Hearing regarding the Notice of Intent filed by the Town of
Shrewsbury for the repair of culverts at Reservoir Street and Grafton Street,
and the replacement of a culvert and roadway widening at Holden Street**

Mr. Polito abstained from the hearing.

Mr. Stone said the Town wants to repair culverts at Reservoir Street and Grafton Street and replace the culvert and do roadway widening at Holden Street.

Mr. Stone said at Holden Street there are exposed utilities now going through culvert. He said the entire work site is within the flood zone. He stated all work will be outside of resource area. He said a 12-inch water main that will be placed.

Mr. Stone said at Reservoir Street there are some erosion problems. He said he is proposing to slide a new pipe within this area.

Ann Cairns, 20 Glen Gery Road, expressed concern of heavy rains and being dispersed incorrectly.

Mr. Stone said at Grafton Street, they want to re-establish channel of flow. He said there will be a rectangle concrete culvert. He said this will probably be a temporary fix, as this is part of MassHighway project.

285-1248 Discuss proposed revisions for 360 Hartford Turnpike

Attending the hearing was Chris Christopher – the property owner, Attorney John Shea – representing Mr. Christopher, and Bill Hannigan – the engineer from Hannigan Engineering.

Mr. Hannigan submitted some paperwork and a plan of the project.

Mr. Shea explained meeting proceedings, to date, with D.E.P. He said Ann Martin and Bill Hannigan will be meeting with Mary Ann DiPinto at D.E.P. He spent some time explaining D.E.P. hearing process.

Mr. Hannigan reviewed his letter dated July 18, 2005 listing changes.

Mr. Polito asked what the fill difference was from the last plan. Mr. Hannigan said there is still quite a bit of fill to be used.

Mr. Perreault said Engineering will be available to meet, and Mr. Stone said he wants to review the plan further.

Discussion ended at 10:40 P.M.

4. New Business

a. Discussed and Signed Order of Conditions and Requests for Determination Applicability

- 285-1357 167 Memorial Drive - postponed**
- 285-1342 76 Lakeside Drive - postponed**
- 285-1350 530 & 542 Boston Turnpike - postponed**
- 285-**** 307 Grafton Street - conditionally approved**
- 285-1351 Lot 3 Sewall Street – conditionally approved**
- 285-**** 16 Whitney Street - continued**
- 285-**** Route 20, MassHighway – conditionally approved**
- 285-1355 2 Weagle Farm Road – conditionally approved**
- 285-1354 21 Stonybrook Lane – conditionally approved**

4. New Business (Cont'd)

**a. Discussed and Signed Order of Conditions and Requests for Determination
Applicability (Cont'd)**

285-1353 17 Stonybrook Lane – conditionally approved
285-1358 Lot 2 Cosmopolitan Estates – conditionally approved
285-1359 Lot 3 Cosmopolitan Estates – conditionally approved
285-**** 180-228 Hartford Pike – postponed
285-1352 Palm Meadow Estates – conditionally approved
RDA Prospect Park – negative determination
285-**** Grafton, Holden, & Reservoir Streets – conditionally approved
(Mr. Polito abstained from the vote.)

5. Old Business

a. Discussed/Signed Certificates of Compliance

285-882 12 Bay Road
285-632 Lot 13 Old Stolpe Farm
285-1265 Lot 6 Trillium Woods

6. Correspondence

7. Miscellaneous

- a)** Mr. Polito asked if a letter had been sent to Boston Hill Realty to ask for the status, and if not could it be done.

The meeting adjourned at 11:00 P.M.

Respectfully Submitted,

Annette W. Rebovich